

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Establishment – Agricultural Marketing Department – CMF Service - Assigning pay scales to the Assistant Engineers working in Agricultural Marketing Department under CMF Service on par with the other Assistant Engineers working in Panchayat Raj, Irrigation and Roads & Buildings Departments – In pursuance of Hon'ble APAT Judgment in OA No.4811/2010, dated 05-09-2013 - Orders – Issued.

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AGRICULTURE AND CO-OPERATION (MKTG-I) DEPARTMENT

G.O.MS.No. 14

Dated :17-04-2015.

Read the following:-

- 1) The Commissioner & Director of Marketing, A.P, Hyderabad. Letter No.Estt.CMF 3093/2008, dated 26-11-2008.
- 2) Govt.Memo.No.14051/AM.II(1)/2008, A & C (AM.II) Dept., dated 23-04-2010.
- 3) Hon'ble A.P.A.T Judgement, dated 05-09-2013 in O.A.No.4811/2010 filed by Sri D.Rrvi Durga Prasad, AE (AM) and others.
- 4) Govt. Memo.No.10271/AM.II(1)/2013, Agri. & Coop. (Mktg-I) Dept., dated 12-3-2014.
- 5) The Commissioner & Director of Marketing, A.P, Hyderabad, letter No.Engg.Estt.3093/2008, dated 28.6.2014.
- 6) Hon'ble High Court of Judicature at Hyderabad for the State of Telangana and the State of Andhra Pradesh, Judgement dated 19-11-2014 in W.P.No.30164/2014 filed by the C & DOAM, A.P, Hyderabad.

ORDER:-

Based on the representation, dated 22-10-2008 of certain Assistant Engineers under Central Market Fund Service (CMF Service) in Agricultural Marketing Department, the Commissioner and Director of Agricultural Marketing, A.P, Hyderabad has submitted proposals to Government in the reference first read above to allow the pay scales of Assistant Engineers in CMF Service on par with other Government Department's Assistant Engineers like Roads & Buildings, Panchayat Raj and Irrigation Departments at Rs.8815-20300 (RPS, 2005) instead of Rs.7770-18575 (RPS, 2005). After examining the proposal, Government have observed that the pay scales recommended by the 9th PRC were accepted by the Government and orders have been already issued vide G.O.Ms.No.52, Finance (PC.I) Department, dated 25-02-2010 and informed the Commissioner & Director of Marketing, A.P, Hyderabad that the request of Assistant Engineers cannot be reviewed at this stage, vide reference second read above.

2. Aggrieved by the above orders issued by the Government the applicants have filed an O.A No.4811/2010 in the Hon'ble A.P.A.T. with a request to direct the respondents to fix the Pay Scales of applicants at Rs.8,815 - 20,300 (PRC, 2005) and Rs.15,280 - 40,510 (PRC, 2010) with arrears with interest at the rate of 14% per annum with all attendant benefits and to pass such other order or orders.

3. The Hon'ble APAT in its judgment in O.A No.4811/2010, dated 05-09-2013 observed that, as the qualification for recruitment to the post of Assistant Engineers working in CMF Service and the qualification for recruitment to the post of Assistant Engineers working in Agricultural Marketing Department and Agricultural Marketing

(p.t.o)

Committee Service in the same Marketing Department being the same and also to that of the Assistant Engineers in Roads & Buildings, Panchayat Raj and Irrigation Departments, the respondents cannot discriminate and reduce the pay scales of Assistant Engineers of CMF Service from PRC, 2005 having and violation of Article 14 of the Constitution of India. When the nature of works of Assistant Engineers in CMF Service itself is same and the qualification is also same, the applicants are entitled to get the same pay scales as that of the Assistant Engineers working in other Government Departments like Roads & Buildings, Panchayat Raj, Irrigation Departments and Tribal Welfare Departments. Even the Commissioner & Director of Marketing, A.P, Hyderabad has recommended the Government to revise the Pay Scales of Assistant Engineers working in CMF Service stating that a mistake occurred in PRC, 2005. In these circumstances, the applicants are entitle for the same pay scales as that of Assistant Engineers working in Marketing Department and also on par with Assistant Engineers working in Roads & Buildings, Irrigation Departments and Tribal Welfare Departments.

4. The Hon'ble APAT have therefore directed the 1st and 3rd respondents (i.e. The Principal Secretary, Agriculture & Cooperation and the Principal Secretary, Finance (PRC) Department) to pass appropriate orders revising the pay scales of the applicants on par with Assistant Engineers working in the same Department of Marketing and other Government Departments like Panchayat Raj, Irrigation and Roads & Buildings.

5. The Government have appealed against the Judgement, dated 05-09-2013 of Hon'ble APAT in OA No.4811/2010 in Hon'ble High Court of Andhra Pradesh in W.P.No.30164/2014 which was dismissed in its orders, dated 19-11-2014.

6. The Government after careful consideration of the matter, have decided to implement the Judgment of Hon'ble APAT in O.A No.4811/2010, dated 05-09-2013 and direct the Commissioner & Director of Marketing, A.P, Hyderabad to fix the pay scales of Assistant Engineers under CMF Service working in the Agricultural Marketing Department (since Revised Pay Scales, 2005) on par with Assistant Engineers working in the same Department of Marketing and other Government Departments like Panchayat Raj, Irrigation and Roads & Buildings.

7. This order issues with the concurrence of Finance (HRM.V-PC) Department, vide their U.O.No.2063/67/A1/HRM.V-PC/2015, dated 08-04-2015.

8. The Commissioner & Director of Marketing, AP., Hyderabad shall take further necessary action in the matter accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

L. PREMACHANDRA REDDY,
SECRETARY TO GOVERNMENT (C&AM).

To

The Commissioner and Director of Agricultural Marketing , A.P, Hyderabad
The Individuals through Commissioner & Director of Agril. Marketing ,
A.P, Hyderabad.

The Pay and Accounts Officer, A.P, Hyderabad.

Copy to:

The Finance (HRM.V-PC) Department.

SF/SC.

// FORWARDED :: BY ORDER //

SECTION OFFICER.